

DETAILED ACTION
EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles H. Livingston (Reg. No. 53,933) on 2/12/10 in order to overcome a 101 rejection.

The application has been amended as follows:

In claim 17 line 1, the term "A computer-readable medium" has been deleted and it has been replaced with the term ---A non-transitory computer-readable medium---.

In claim 18 line 1, the term "A computer-readable medium" has been deleted and it has been replaced with the term ---A non-transitory computer-readable medium---.

In claim 19 line 1, the term "A computer-readable medium" has been deleted and it has been replaced with the term ---A non-transitory computer-readable medium---.

In claim 20 line 1, the term "A computer-readable medium" has been deleted and it has been replaced with the term ---A non-transitory computer-readable medium---.

Allowable Subject Matter

Claims 1-21 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

With regards to claims 1, 9 and 17, the prior art of record alone or in combination fails to teach or fairly suggest automatically determining whether the peripheral device is available to accept the data object after the data object has been stored in a first memory (the first memory

storing the data object for a longer time period than a second memory), in combination with the other limitations found in the respective claims.

With regards to claims 2-8, due to their direct or indirect dependency from claim 1, they are allowed for at least the same reasons.

With regards to claims 10-16 and 21, due to their direct or indirect dependency from claim 9, they are allowed for at least the same reasons.

With regards to claims 18-20, due to their direct or indirect dependency from claim 17, they are allowed for at least the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID E. MARTINEZ whose telephone number is (571)272-4152. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on 571-272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Niketa I. Patel/
Primary Examiner, Art Unit 2181

DEM